

# **EXHIBIT 3**

BK 1957PG0695

012596

Return to: Donna R. DeLoria  
Payne & Hodous  
412 East Jefferson Street  
Charlottesville, VA 22902

Tax Map No.: Portion of 103-1B  
Portion of 102-35A  
Portion of 103-1E

*Prepared by: Payne & Hodous*

THIS DEED OF DISTRIBUTION, made this 31st day of August, 2000, by and between JWK PROPERTIES, INC., a Delaware corporation, hereinafter referred to as the Grantor, and JOHN W. KLUGE, hereinafter referred to as the Grantee, whose address is 3201 Ellerslie Drive, Charlottesville, VA 22902;

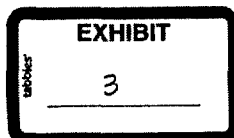
**WITNESSETH:**

THAT, FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the Grantee, the following described property, to-wit:

PARCEL ONE: All that certain tract or parcel of land, together with all improvements thereon and appurtenances thereto pertaining, located in the Scottsville Magisterial District of the County of Albemarle, Virginia, containing 165.13 acres, more or less, more particularly shown and described as combined Parcels U, W, X and Y on plat of Gloeckner Engineering\Surveying Inc., titled "Plat Showing Division of Mountain Tract Being a Portion of Tax Map 102 Parcel 35A and Tax Map 103 Parcels 1E & 1B, Morven Farms, Albemarle County, Virginia," dated September 19, 2000, a copy of which is attached hereto and recorded herewith; being a portion of the property conveyed to JWK Properties, Inc., a Delaware corporation, by deed from John W. Kluge and Patricia M. Kluge, husband and wife, dated December 10, 1984, and recorded in the Clerk's Office of the Circuit Court of said County in Deed Book 824, page 63.

PARCEL TWO:

All that certain tract or parcel of land, together with all improvements thereon and appurtenances thereto pertaining, located in the Scottsville Magisterial District of the



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County of Albemarle, Virginia, containing 216.69 acres, more or less, more particularly shown and described on plat of Gloeckner Engineering\Surveying Inc., titled "Plat Showing Survey of Golf Course Tract Being a Portion of T.M. 102 Parcel 35A & T.M. 103 Parcel 1B, Morven Farms, Albemarle County, Virginia," dated September 19, 2000, a copy of which is attached hereto and recorded herewith; being a portion of the property conveyed to JWK Properties, Inc., a Delaware corporation, by deed from John W. Kluge and Patricia M. Kluge, husband and wife, dated December 10, 1984, and recorded in the Clerk's Office of the Circuit Court of said County in Deed Book 824, page 63.

The foregoing conveyance is made subject to the following reservations and restrictions: (1) Grantor reserves a perpetual easement over Parcel One and Parcel Two for flooding of the farm pond, in substantially its current configuration, which farm pond is located partly on Parcel One and partly on the lands retained by the Grantor. Said easement shall be appurtenant to the lands of the Grantor on which said farm pond is located and shall inure to the benefit of the Grantor, its successors and assigns; (2) Parcel One and Parcel Two are conveyed subject to the restriction that the Grantee, his heirs and assigns, shall have no right to the use of said farm pond located partly on Parcel One and partly on the lands retained by the Grantor, including but not limited to use of the water therefrom for irrigation purposes, all use of said farm pond being specifically reserved to the Grantor, its successors and assigns.

The property hereby conveyed is further subject to any and all easements, restrictions, reservations, and conditions contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above described property which have not expired by a time limitation contained therein or have not otherwise become ineffective. It is expressly understood and agreed that the property conveyed hereby is conveyed free of any and all rights of Grantor which are, or may be appurtenant to the remaining lands of the Grantor, all of which are hereby expressly disclaimed by Grantor. It is further expressly understood and agreed that the property hereby conveyed shall have no right, whether of access or otherwise, in any portion of the remaining property of the Grantor, all of which rights are expressly hereby excluded herefrom.

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WITNESS the following signature and seal:

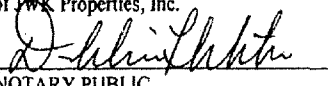
JWK PROPERTIES, INC.

By:  (SEAL)  
ELTON J. OLIVER, Managing Director

STATE OF VIRGINIA

CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of Sept,  
2000, by Elton J. Oliver, Managing Director of JWK Properties, Inc.

  
NOTARY PUBLIC

My commission expires: 12/31/03







BK 1957PG0701

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE:

THIS DEED WAS PRESENTED, AND WITH CERTIFICATE ANNEXED, IS ADMITTED

TO RECORD ON Sept 29 2000 AT 10:24 O'CLOCK A. M.

3,389,700.00	
STATE TAX	\$ 5084.55 (039)
LOCAL TAX	\$ 1694.85 (213)
TRANSFER FEE	\$ 1.00 (212)
I.T.T.F.	\$ 3.00 (106)
VSLF	\$ 1.00 (145)
CLERK'S FEE	\$ 15.00 (301)
PLAT	\$ 0.00
SECT. 58.1-802:	
STATE TAX	\$ 1695.00 (038)
LOCAL TAX	\$ 1695.00 (220)
LOCAL TAX	\$ (223)
TOTAL	\$ 10,192.40

TESTE:

SHELBY J. MARSHALL, CLERK

BY:

*Pray Minahan*  
DEPUTY CLERK



# **EXHIBIT 4**

BK 1957PG0704

012598

Return to: James P. Cox, III  
Michie, Hamlett, Lowry, Rasmussen & Tweel, P.C.  
P. O. Box 298  
Charlottesville, VA 22902

Tax Map No.: Portion of 102-35A  
Portion of 103-1B

*Prepared by: Payne & Hodous*

THIS DEED OF GIFT, made this 31st day of August, 2000, by and between JOHN W. KLUGE, hereinafter referred to as the Grantor, and PATRICIA M. KLUGE, TRUSTEE OF THE JOHN W. KLUGE, JR. TRUST, under agreement dated August 28, 2000, hereinafter referred to as the Grantee, whose address is 3414 Ellerslie Drive, Charlottesville VA 22902, and MARIA T. KLUGE, wife of Grantor, hereinafter referred to as the Second Grantor;

**WITNESSETH:**

THAT, FOR AND IN CONSIDERATION of the premises, the Grantor does hereby GRANT and CONVEY, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the Grantee, the following described property, to-wit:

All that certain tract or parcel of land, together with all improvements thereon and appurtenances thereto pertaining, located in the Scottsville Magisterial District of the County of Albemarle, Virginia, containing 216.69 acres, more or less, more particularly shown and described on plat of Gibeckner Engineering/Surveying Inc., titled "Plat Showing Survey of Golf Course Tract Being a Portion of T.M. 102 Parcel 35A & T.M. 103 Parcel 1B, Morven Farms, Albemarle County, Virginia," dated September 19, 2000, a copy of which is attached to a deed from JWK Properties, Inc., a Delaware corporation, to John W. Kluge, dated August 31, 2000, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, prior hereto and as part of the same transaction; being a portion of the property conveyed to John W. Kluge by said deed from JWK Properties, Inc., a Delaware corporation, dated August 31, 2000, and recorded in said Clerk's Office prior hereto and as part of the same transaction.



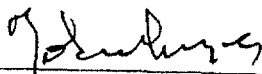
BK 1957PG0705

The property hereby conveyed is subject to any and all easements, restrictions, reservations, and conditions contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above described property which have not expired by a time limitation contained therein or have not otherwise become ineffective.

Second Grantor joins in this conveyance solely to evidence her consent hereto.

This deed of gift is exempt from recordation taxes pursuant to Virginia Code Section 58.1-811.D.

WITNESS the following signatures and seals:

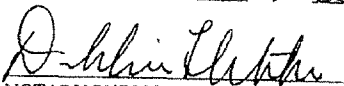
  
JOHN W. KLUGE (SEAL)

  
MARIA T. KLUGE (SEAL)

STATE OF Virginia

CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of Sept, 2000, by John W. Kluge.

  
NOTARY PUBLIC

My commission expires: 12/31/03

BK 1957PG0706

STATE OF Virginia  
 CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of Sept, 2000, by Maria T. Kluge.

[Signature]  
 NOTARY PUBLIC

My commission expires: 12/31/03

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE:

THIS DEED WAS PRESENTED, AND WITH CERTIFICATE ANNEXED, IS ADMITTED

TO RECORD ON Sept 22, 2000, AT 10:29 O'CLOCK A M.

STATE TAX	\$	(039)
LOCAL TAX	\$	(213)
TRANSFER FEE	\$	<u>1.00</u> (212)
I.T.T.F.	\$	<u>3.00</u> (106)
VSLF	\$	<u>1.00</u> (145)
CLERK'S FEE	\$	<u>12.00</u> (301)
PLAT	\$	
SECT. 58.1-802:		
STATE TAX	\$	(038)
LOCAL TAX	\$	(220)
LOCAL TAX	\$	(223)
TOTAL	\$	<u>17.00</u>

TESTE:

SHELBY J. MARSHALL, CLERK

BY:

[Signature]  
 DEPUTY CLERK

# **EXHIBIT 5**

BK 1957PG0702

012597

Return to: James P. Cox, III  
Michie, Hamlett, Lowry, Rasmussen & Tweel, P.C.  
P. O. Box 298  
Charlottesville, VA 22902

Tax Map No.: Portion of 103-1B  
Portion of 102-35A  
Portion of 103-1E

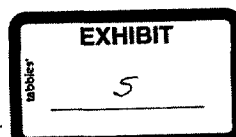
*Prepared by: Payne & Hodous*

THIS DEED, made this 31st day of August, 2000, by and between JOHN W. KLUGE,  
hereinafter referred to as the Grantor, and HOUSE & GARDEN COMPANY, L.L.C., a Virginia  
limited liability company, hereinafter referred to as the Grantee, whose address is  
**Route 6, Box 54, Charlottesville, VA 22901**

**WITNESSETH:**

THAT, FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) and other  
good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does  
hereby GRANT, BARGAIN, SELL and CONVEY, with GENERAL WARRANTY and ENGLISH  
COVENANTS OF TITLE, unto the Grantee, the following described property, to-wit:


All that certain tract or parcel of land, together with all improvements thereon and  
appurtenances thereto pertaining, located in the Scottsville Magisterial District of the  
County of Albemarle, Virginia, containing 165.13 acres, more or less, more  
particularly shown and described as combined Parcels U, W, X and Y on plat of  
Gloeckner Engineering\Surveying Inc., titled "Plat Showing Division of Mountain  
Tract Being a Portion of Tax Map 102 Parcel 35A and Tax Map 103 Parcels 1E &  
1B, Morven Farms, Albemarle County, Virginia," dated September 19, 2000, a copy  
of which is attached to a deed from JWK Properties, Inc., a Delaware corporation,  
to John W. Kluge, dated August 31, 2000, and recorded in the Clerk's Office of the  
Circuit Court of the County of Albemarle, Virginia, prior hereto and as part of the  
same transaction; being a portion of the property conveyed to John W. Kluge by said  
deed from JWK Properties, Inc., a Delaware corporation, dated August 31, 2000, and  
recorded in said Clerk's Office prior hereto and as part of the same transaction;  
TOGETHER WITH a nonexclusive easement in the location shown on said plat as  
30' access easement for ingress to and egress from State Route 627.



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The property hereby conveyed is subject to any and all easements, restrictions, reservations, and conditions contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above described property which have not expired by a time limitation contained therein or have not otherwise become ineffective.

WITNESS the following signature and seal:

 (SEAL)  
JOHN W. KLUGE

STATE OF Virginia  
CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of Sept, 2000, by John W. Kluge.

  
NOTARY PUBLIC

My commission expires: 12/31/03

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE:

THIS DEED WAS PRESENTED, AND WITH CERTIFICATE ANNEXED, IS ADMITTED

TO RECORD ON Sept 29, 2000, AT 10:27 O'CLOCK A.M.

1,139.70	\$ 2609.55 (1039)
STATE TAX	\$ 869.85 (213)
LOCAL TAX	\$ 1.00 (212)
TRANSFER FEE	\$ 3.00 (106)
I.T.T.F.	\$ 1.00 (145)
VSLF	\$ 12.00 (301)
CLERK'S FEE	
PLAT	
SECT. 58.1-802:	
STATE TAX	\$ 870.00 (1038)
LOCAL TAX	\$ 870.00 (220)
LOCAL TAX	\$ (223)
TOTAL	\$ 5236.40

TESTE: SHELBY J. MARSHALL, CLERK  
BY:  DEPUTY CLERK

# **EXHIBIT 6**



BK2029PG0237

006416

Return to: Robert J. Kroner, Esquire  
Scott & Kroner, P.C.  
P. O. Box 2737  
Charlottesville, VA 22902

Tax Map Nos.: 103-1, 103-1B,  
103-1C, 103-1D, 103-1E, 103-1F,  
103-1G, 102-33, 90B-A-11

*Prepared by: Payne & Hodous*

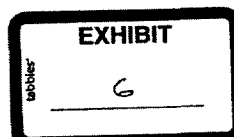
THIS DEED OF GIFT, made this 8th day of January, 2001, by and between **JWK PROPERTIES, INC.** (sometimes also referred to as **J.W.K. PROPERTIES, INC.**), a Delaware corporation authorized to do business in Virginia, hereinafter referred to as the Grantor, and **UNIVERSITY OF VIRGINIA REAL ESTATE FOUNDATION**, a Virginia non-stock corporation, hereinafter referred to as the Grantee, whose address is P. O. Box 400218, Charlottesville, VA 22904-4218;

**WITNESSETH:**

THAT, FOR AND IN CONSIDERATION of the premises, the Grantor does hereby GRANT and CONVEY, with SPECIAL WARRANTY, unto the Grantee, subject to the following matters, the following described property, to-wit (the "Property"):

**PARCEL ONE:** Those certain tracts or parcels of land, described as follows:

- (1) All that certain tract or parcel of land, together with all improvements thereon and appurtenances thereto pertaining, described as Parcel A, containing 4.151 acres, shown on plat of William S. Roudabush, Inc., dated January 9, 1976, of record in said Clerk's Office in Deed Book 702, page 27;
- (2) All that certain tract or parcel of land, with the improvements thereon and appurtenances thereto belonging, situated in the Scottsville Magisterial District of Albemarle County, Virginia, containing in the aggregate 477.557 acres, more or less, being the land shown as 481.708 acres on plat of record in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 175, page 21 and Deed Book 349, page 63, less a tract of 4.151 acres, more or less, shown as Parcel A on a plat of William S. Roudabush, Inc., dated January 9, 1976, of record in the aforesaid Clerk's Office in Deed Book 702, page 27;
- (3) All that certain tract or parcel of land containing 326.23 acres, more or less, with the



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improvements thereon and appurtenances thereto belonging, situated in the Scottsville Magisterial District of Albemarle County, Virginia, more particularly described on plat of William S. Roudabush, Jr., dated June 23, 1964, of record in said Clerk's Office in Deed Book 398, page 555, and shown thereon as Parcel X, designated as parcel 1-E on Albemarle County Tax Map 103.

- (4) A parcel containing 43.566 acres of land with 53.94 feet of frontage on Route 20, with the improvements thereon and appurtenances thereto belonging, all as shown on a plat dated May 10, 1973, prepared by B. Aubrey Huffman & Associates, recorded in said Clerk's Office in Deed Book 532, page 525, designated as parcel 33 on Albemarle County Tax Map 102.
- (5) All that certain tract or parcel of land, containing 144.27 acres, more or less, with the improvements thereon and appurtenances thereto belonging, situated about eight (8) miles in a southerly direction from Charlottesville, near State Route 627, in the Scottsville Magisterial District of Albemarle County, Virginia, more particularly described by metes and bounds on a plat prepared by William S. Roudabush, Jr., and Associates, of record in said Clerk's Office in Deed Book 429, page 433, and designated as parcel 1 on Albemarle County Tax Map 103.

Reference is further made to a plat by B. Aubrey Huffman & Associates, Ltd., dated March 1, 1982, showing 995.1306 acres, recorded with a deed in said Clerk's Office in Deed Book 735, page 163, for a more particular description of the property shown thereon.

LESS AND EXCEPT HOWEVER the following off-conveyances:

- (1) Those certain strips or parcels of land conveyed to the Commonwealth of Virginia in instruments recorded in Deed Book 821, page 493 and Deed Book 920, page 22.
- (2) A tract containing 0.021 of an acre, more or less, designated as Parcel X on a plat by W. Morris Foster, dated February 10, 1987, entitled "Plat Showing Survey of Parcel 'X' - 0.021 acre to be Deducted from T.M. 102 Par. 33 and be Added to and Become Part of T.M. 102 Par. 33C", recorded with a deed in said Clerk's Office in Deed Book 930, page 145, conveyed by JWK Properties, Inc. to Walker J. Manley and Gertrude O. Manley, by deed dated March 17, 1987, and recorded in said Clerk's Office in Deed Book 930, page 145.
- (3) A tract containing 9.904 acres, more or less, shown on sheet 2 of a plat by Gloeckner & Osborne, Inc., composed of two sheets, dated April 18, 1990, recorded with a deed in said Clerk's Office in Deed Book 1105, page 185, conveyed by JWK Properties, Inc. to Patricia M. Kluge by deed dated June 13, 1990 and recorded in said Clerk's Office in Deed Book 1105, page 185.
- (4) A tract containing 216.69 acres, more or less, shown as the "Golf Course Tract" on plat of Gloeckner Engineering/Surveying, Inc. dated September 19, 2000, entitled "Plat Showing Survey of Golf Course Tract Being a Portion of T.M. 102 Parcel 35A & T.M. 103 Parcel 1B Morven Farms Albemarle County, Virginia", recorded with

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a deed in said Clerk's Office in Deed Book 1957, page 695, conveyed by JWK Properties, Inc. to John W. Kluge by deed dated August 31, 2000 and recorded in said Clerk's Office in Deed Book 1957, page 695.

- (5) A tract containing 165.13 acres, more or less, consisting of Parcels X, Y, U and W, known as the "Mountain Tract", shown on a plat by Gloeckner Engineering/Surveying, Inc. dated September 19, 2000, entitled "Plat Showing Division of Mountain Tract Being a Portion of Tax Map 102 Parcel 35A and Tax Map 103 Parcels 1E & 1B Morven Farms Albemarle County, Virginia" recorded with said deed in said Clerk's Office in Deed Book 1957, page 695, conveyed by JWK Properties, Inc. to John W. Kluge by said deed recorded in said Clerk's Office in Deed Book 1957, page 695. The reference to Tax Map 103 Parcel 1E in said plat is made in error, said plat not depicting any division of Tax Map 103 Parcel 1E thereon.

BEING a portion of the property conveyed to JWK Properties, Inc. by deed from John W. Kluge and Patricia M. Kluge, husband and wife, dated December 10, 1984, and recorded in said Clerk's Office in Deed Book 824, page 63.

**PARCEL TWO:** All that certain tract or parcel of land, with the improvements thereon and appurtenances thereto belonging, situated in the Scottsville Magisterial District of Albemarle County, Virginia, described as a tract of 7.18 acres, designated as parcel 1-D on Albemarle County Tax Map 103, and more particularly described on plat of William S. Roudabush, Inc., dated May 14, 1982, attached to and recorded with a deed in said Clerk's Office in Deed Book 824, page 63; BEING a portion of the property conveyed to JWK Properties, Inc. by deed from John W. Kluge and Patricia M. Kluge, husband and wife, dated December 10, 1984, and recorded in said Clerk's Office in Deed Book 824, page 63.

**PARCEL THREE:** All that certain lot or parcel of land, with the improvements thereon and appurtenances thereunto belonging, containing 3.01 acres, more or less, situated near State Route 627, in the Scottsville Magisterial District of Albemarle County, Virginia, designated as parcel 1-F on Albemarle County Tax Map 103, more particularly described as Parcel "Z" on a plat prepared by William S. Roudabush, Jr., C.L.S., dated June 23, 1964, of record in said Clerk's Office in Deed Book 398, page 555; BEING a portion of the property conveyed to JWK Properties, Inc. by deed from John W. Kluge and Patricia M. Kluge, husband and wife, dated December 10, 1984, and recorded in said Clerk's Office in Deed Book 824, page 63.

**PARCEL FOUR:** All that certain lot or parcel of land with the improvements thereon and the appurtenances thereunto belonging, situated in Albemarle County, Virginia, designated as Parcel A-11 on Albemarle County Tax Map Sheet 90B, consisting of the property formerly shown and described as Lot 11 (4.16 acres), Lot 12 (1.89 acres) and Lot 13 (3.56 acres), Block A, Marshall Manors and Reva Ridge

BK 2029PG0240

Road on a plat of Marshall Manors of record in the Clerk's Office of the Circuit Court of said County in Deed Book 573, page 248 - 249; BEING a portion of the property conveyed to JWK Properties, Inc. by deed from John W. Kluge and Patricia M. Kluge, husband and wife, dated December 10, 1984, and recorded in said Clerk's Office in Deed Book 824, page 63. So much of said plat as shows a restricted street designated Reva Ridge Road and the division of Lots 11, 12 and 13, Block A, into three separate parcels was vacated by ordinance adopted by the Board of Supervisors of Albemarle County, Virginia, pursuant to Virginia Code Section 15.1-482(b), a certified copy of which is recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia in Deed Book 1154, page 679 and, pursuant to Virginia Code Section 15.1-483, fee simple title for the entire width of Reva Ridge Road vested in the owner of said Lots 11, 12 and 13. This conveyance shall be deemed to include, all right, title and interest of the Grantor, if any, in and to that certain tract or parcel of land situated in Albemarle County, Virginia, containing 15.26 acres, more or less, more particularly shown and described on plat of William S. Roudabush, Inc., C.L.S., dated October 29, 1982, recorded with a deed from Forrest R. Marshall, Sr. and Reva B. Marshall, husband and wife, dated November 22, 1982, to John W. Kluge, in said Clerk's Office in Deed Book 752, page 250.

**PARCEL FIVE:** All that certain lot or parcel of land with improvements thereon, and privileges and appurtenances thereto pertaining, containing approximately 1.42+/- acres, at "Ellerslie Farm" in the Scottsville Magisterial District of Albemarle County, Virginia, shown and described on a plat prepared by William S. Roudabush, Jr., Certified Land Surveyor, dated October, 1962, of record in said Clerk's Office in Deed Book 384, page 183; BEING the same property conveyed to J.W.K. Properties, Inc., by deed from William Robert Hammond and Cynthia Ann Hammond, husband and wife, dated October 13, 1986, and recorded in said Clerk's Office in Deed Book 907, page 223. Said deed erroneously recited that JWK Properties, Inc. is a Virginia corporation.

**PARCEL SIX:** All that certain lot or parcel of land, containing 4.14 acres, more or less, with improvements thereon and appurtenances thereto belonging, situated near State Route 627 in the Scottsville Magisterial District of Albemarle County, Virginia, more particularly described as Parcel "Y" on a plat of William S. Roudabush, Jr., C.L.S., dated June 23, 1964, recorded in the Clerk's Office of the Circuit Court of said County in Deed Book 398, page 555; BEING the same property conveyed to JWK Properties, Inc. by deed from Stanley B. Leap, unmarried, dated August 14, 1985, and recorded in said Clerk's Office in Deed Book 848, page 174.

The Property is conveyed in gross and not by the acre.

The Property hereby conveyed is subject to the following:

BK2029PG0241

1. The Grantor hereby reserves unto itself an estate and right of exclusive current enjoyment, for three years from the date of recordation of this deed, in and to the portion of the Property described as Parcel Two hereinabove, a tract of 7.18 acres, designated as parcel 1-D on Albemarle County Tax Map 103 (the "Ellerslie House Parcel").
2. The Grantor hereby reserves the following easements for the benefit of said Ellerslie House Parcel during the term of said estate:
  - (a) a non-exclusive easement over the existing road for ingress to and egress from State Route 627;
  - (b) non-exclusive easements for the continued use of the existing well(s) and septic system to the extent that such are located upon the adjacent lands conveyed hereby, including reasonable access to and from the same, together with the right to maintain, repair, replace or service the same. Maintenance of such facilities shall be the sole responsibility of the Grantor during the term of said estate.
  - (c) The foregoing notwithstanding, the Grantee may relocate, reconfigure or otherwise rearrange the easements described in paragraphs (a) and (b) above, at its sole expense, upon reasonable notice to the Grantor; provided, however, that such relocation, reconfiguration or other rearrangement shall be performed without significant interruption of service to said Ellerslie House Parcel.
  - (d) The right of reasonable access to public utilities service from existing lines located upon the adjacent lands conveyed hereby.
3. The Grantor hereby reserves the following easements for the benefit of the property of the Grantor shown and described as Parcels A and B on a plat by Gloeckner Engineering\Surveying, Inc., dated December 18, 2000, and recorded with a deed immediately subsequent hereto (the "Life Estate Property"), which easements shall continue for and during the lifetime of John W. Kluge and for such reasonable period, up to two years, after his death as the Grantor may require to deliver possession of the Life Estate Property to the Grantee:

A non-exclusive easement for the location, installation, upgrading, maintenance, repair, removal and replacement of two repeaters on the radio tower, related equipment in the shed, and all wires, lines, cable, conduit and other appurtenances related to the operation thereof; together with a non-exclusive easement over the existing road for ingress and egress to and from the radio tower and State Route 627. Grantee shall not permit interference with Grantor's repeaters by any other use and shall act promptly to cure any interference or terminate any such interfering use. Said easements shall terminate automatically upon the delivery of possession of the Life Estate

BK 2029PG0242

Property to the Grantee in accordance with the terms of said deed recorded immediately subsequent hereto, without any further action by the Grantor or Grantee.

The Property hereby conveyed is further subject to a Lease to Patricia M. Kluge, dated June 13, 1990, as to which a Memorandum of Lease is recorded in the Clerk's Office of the Circuit Court of Albemarle County in Deed Book 1105, page 193.

The Property hereby conveyed is further subject to any and all easements, restrictions, reservations, and conditions contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above described Property which have not expired by a time limitation contained therein or have not otherwise become ineffective.

This deed of gift is exempt from recordation taxes pursuant to Virginia Code Section 58.1-811.D.


WITNESS the following duly authorized signature and seal:

JWK PROPERTIES, INC.

BY:  (SEAL)  
Elton J. Oliver, Managing Director

STATE OF Virginia  
CITY/COUNTY OF Charlottesville, to-wit:

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of May, 2001, by Elton J. Oliver, Managing Director of JWK Properties, Inc., a Delaware corporation, on behalf of the corporation.

  
NOTARY PUBLIC

My commission expires: 8/31/2004

BK2029PG0243

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE:

THIS DEED WAS PRESENTED, AND WITH CERTIFICATE ANNEXED, IS ADMITTED

TO RECORD ON May 25 2001 AT 10:30 O'CLOCK A M.

STATE TAX	\$		(039)
LOCAL TAX	\$		(213)
TRANSFER FEE	\$	<u>1.00</u>	(212)
I.T.T.F.	\$	<u>2.00</u>	(106)
VSLF	\$	<u>1.00</u>	(145)
CLERK'S FEE	\$	<u>14.00</u>	(301)
PLAT	\$		
SECT. 58.1-802:			
STATE TAX	\$		(038)
LOCAL TAX	\$		(220)
LOCAL TAX	\$		(223)
TOTAL		<u>\$16.00</u>	

TESTE: SHELBY J. MARSHALL, CLERK

BY: Justin J. Morris  
DEPUTY CLERK

# **EXHIBIT 7**



007671

TMP 10300-00-00-00100; TMP 10300-00-00-001B0; TMP 10300-00-00-001C0  
TMP 10300-00-00-001D0; TMP 10300-00-00-001E0; TMP 10300-00-00-001F0  
TMP 10300-00-00-001G0

This instrument was prepared by Scott Kroner, PLC, Charlottesville, Virginia

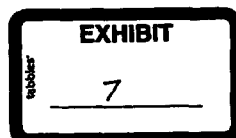
THIS DEED is made this 30<sup>th</sup> day of April, 2004, by and between **UNIVERSITY OF VIRGINIA FOUNDATION**, a Virginia non-stock corporation, successor by merger to University of Virginia Real Estate Foundation, Grantor, and **WILLIAM J. MOSES and PATRICIA M. KLUGE**, husband and wife, Grantees, whose address is 355 Albemarle House Drive, Charlottesville, Virginia 22902.

**WITNESSETH:**

THAT, FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, and pursuant to that certain unrecorded Direct Deeding Designation, Notice and Acknowledgement dated as of April 30, 2004, the Grantor does hereby GRANT and CONVEY with SPECIAL WARRANTY unto William J. Moses and Patricia M. Kluge, the Grantees, as tenants by the entirety with full rights of survivorship and not as tenants in common, and subject to the following matters, the following described property, to-wit (the "Property"):

**PARCEL ONE (TMP 103-1):** All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, containing 144.27 acres, more or less, situated about eight (8) miles in a southerly direction from Charlottesville, near State Route 627, in the Scottsville Magisterial District of Albemarle County, Virginia, shown on a plat by William S. Roudabush, Jr., and Associates, dated December 1966, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 429, page 433.

**PARCEL TWO (TMP 103-1B):** All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, containing 97.67 acres, more or less, shown as New Tax Map 103-1B (being the



combination of Residue, Parcel M and Parcel Z) on a plat by Gloeckner Engineering Surveying Inc., Engineers, Surveyors, Land Planners, dated September 19, 2000, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 1957, pages 698-699. (The plat at Deed Book 1957, pages 698-699, showing the Residue, Parcel M and Parcel Z does not plat said parcels.)

**PARCEL THREE (TMP 103-1C):** All that certain lot or parcel of land, with improvements thereon and appurtenances thereto, containing 1.42 acres, more or less, shown on a plat by William S. Roudabush, Jr., and Associates, Certified Land Surveyors, dated October 1962, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 384, page 183.

**PARCEL FOUR (TMP 103-1D):** All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, containing 7.18 acres, more or less, shown on plat by William S. Roudabush, Inc., Certified Land Surveyors, dated May 14, 1982, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 824, page 74.

**PARCEL FIVE (TMP 103-1E):** All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, containing 326.23 acres, more or less, shown as Parcel "X" on plat of William S. Roudabush, Jr., Certified Land Surveyor, dated June 23, 1964, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 398, page 555, LESS AND EXCEPT, HOWEVER, those certain strips or parcels of land conveyed to the Commonwealth of Virginia in instruments recorded in Deed Book 821, page 493, and Deed Book 920, page 22.

**PARCEL SIX (TMP 103-1F):** All that certain lot or parcel of land, with improvements thereon and appurtenances thereunto belonging, containing 3.01 acres, more or less, situated near State Route 627, in the Scottsville Magisterial District of Albemarle County, Virginia, shown as Parcel "Z" on a plat by William S. Roudabush, Jr., Certified Land Surveyor, dated June 23, 1964, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 398, page 555.

**PARCEL SEVEN (TMP 103-1G):** All that certain lot or parcel of land, with improvements thereon and appurtenances thereto, containing 4.14 acres, more or less, situated near State Route 627 in the Scottsville Magisterial District of Albemarle County, Virginia, shown as Parcel "Y" on a plat of William S. Roudabush, Jr., Certified Land Surveyor, dated June 23, 1964, recorded in the Clerk's Office of the Circuit Court of said County in Deed Book 398, page 555.

Parcel One, Parcel Two, Parcel Three, Parcel Four, Parcel Five, Parcel Six and Parcel Seven are portions of the property conveyed to University of Virginia Real Estate Foundation by deed from JWK Properties, Inc. (sometimes referred to as J.W.K. Properties, Inc.), a Delaware corporation authorized to do business in Virginia, dated January 8, 2001, and recorded in such Clerk's Office

in Deed Book 2029, page 237. University of Virginia Foundation is successor by merger to University of Virginia Real Estate Foundation.

The Property is conveyed in gross and not by the acre.

The Property hereby conveyed is subject to the non-exclusive easement for the location, installation, upgrading, maintenance, repair, removal and replacement of two repeaters on the radio tower, related equipment in the shed, and all wires, lines, cable, conduit and other appurtenances related to the operation thereof; together with a non-exclusive easement over the existing road for ingress and egress to and from the radio tower and State Route 627, reserved by J.W.K. Properties, Inc., by deed dated January 8, 2001, recorded in such Clerk's Office in Deed Book 2029, page 237.

The Property hereby conveyed is further subject to a Lease to Patricia M. Kluge, dated June 13, 1990, as to which a Memorandum of Lease is recorded in the Clerk's Office of the Circuit Court of Albemarle County in Deed Book 1105, page 193.

The Property hereby conveyed is further subject to any and all easements, restrictions, reservations, and conditions contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above described Property which have not expired by a time limitation contained therein or have not otherwise become ineffective.

WITNESS the following duly authorized signature and seal:

UNIVERSITY OF VIRGINIA FOUNDATION

By: Tim R. Rose (SEAL)  
Tim R. Rose, Chief Operating Officer

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Charlottesville, to-wit:

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of April, 2004, by Tim R. Rose, Chief Operating Officer of University of Virginia Foundation, a Virginia non-stock corporation, on behalf of the corporation.

Veronica Thomas  
Notary Public

My commission expires: 8/31/05

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RECORDED IN CLERKS OFFICE OF  
ALBEMARLE CO  
April 30, 2004 AT 2:13:29 PM  
\$10,500.00 GRANTOR TAX PD  
AS REQUIRED BY VA CODE § 58.1-802  
STATE: \$5,250.00 LOCAL: \$5,250.00  
SHELBY MARSHALL, CLERK CIRCUIT CT

P. Minahan DC

# **EXHIBIT 8**

Instrument Control Number

023583

**Commonwealth of Virginia  
Land Record Instruments  
Cover Sheet - Form A**

[ILS VLR Cover Sheet Agent 1.0.66]

Doc ID: 00001820005 Type: DEE  
Recorded: 12/22/2004 at 03:37:54 PM  
Fee Amt: \$23.00 Page 1 of 5  
Albemarle County, VA  
Shelby Marshall Clerk Circuit Court  
File# 2004-00023583

BK 2894 PG 652-656

T  
A  
X  
E  
X  
E  
M  
P  
T

Date of Instrument: [12/21/2004 ]

Instrument Type: [DG ]

Number of Parcels [ 1 ]

Number of Pages [ 4 ]

City ☐ County ☒ [Albemarle County ]

(Box for Deed Stamp Only)

**First and Second Grantors**

Last Name	First Name	Middle Name or Initial	Suffix
[Moses ]	[William ]	[J ]	[ ]
[Kluge ]	[Patricia ]	[M ]	[ ]

**First and Second Grantees**

Last Name	First Name	Middle Name or Initial	Suffix
[Kluge ]	[Patricia ]	[M ]	[ ]
[ ]	[ ]	[ ]	[ ]

Grantee Address (Name) [Patricia M Kluge ]  
(Address 1) [3414 Ellerslie Drive ]  
(Address 2) [ ]  
(City, State, Zip) [Charlottesville ] [VA ] [22902 ]

Consideration [0.00 ] Existing Debt [0.00 ] Assumption Balance [0.00 ]

Prior Instr. Recorded at: City ☐ County ☐ [ ] Percent. in this Juris. [ 100 ]

Book [ ] Page [ ] Instr. No [ ]

Parcel Identification No (PIN) [ ]

Tax Map Num. (If different than PIN) [103, Parcels 1, 1B, 1C, 1E, 1F and 1G ]

Short Property Description [Parcels ]

Current Property Address (Address 1) [ ]

(Address 2) [ ]

(City, State, Zip) [ ] [ ] [ ]

Instrument Prepared by [LeClair Ryan ]

Recording Paid for by [LeClair Ryan ]

Return Recording to (Name) [LeClair Ryan ]

(Address 1) [123 East Main Street ]

(Address 2) [8th Floor ]

(City, State, Zip) [Charlottesville ] [VA ] [22902 ]

Customer Case ID [11573.0027 ] [ ] [ ]

Cover Sheet Page # 1 of 1

EXHIBIT

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Document prepared by:  
LeClair Rynn  
123 East Main Street  
8<sup>th</sup> Floor  
Charlottesville, Virginia 22902  
Tax map 103, parcels 1, 1B, 1C, 1E, 1F and 1G  
Exempt per § 58.1-81(1)

023583

**DEED OF GIFT**

**THIS DEED OF GIFT**, made as of this 21<sup>st</sup> day of December, 2004, by and between **WILLIAM J. MOSES** and **PATRICIA M. KLUGE**, husband and wife (together, the "Grantor"), and **PATRICIA M. KLUGE** (the "Grantee"), whose address is 3414 Elerslie Drive, Charlottesville, Virginia 22902.

**WITNESSETH:**

For and in consideration of the natural love and affection among Grantor and Grantee, Grantor does hereby GIVE, GRANT and CONVEY with SPECIAL WARRANTY unto Grantee all of those certain lots or parcels of land located in Albemarle County, Virginia, more particularly described on the attached Schedule A (the "Property").

The conveyance is made expressly subject to easements, conditions, restrictions and reservations contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed, which have not expired by a limitation of time contained therein or have not otherwise become ineffective.

This Deed may be executed in two or more counterparts, each of which shall constitute an original and all of which taken together shall constitute a fully executed instrument.

WITNESS the following signatures and seals.

*[SIGNATURES APPEAR ON THE FOLLOWING COUNTERPART SIGNATURE PAGES.]*

[COUNTERPART SIGNATURE PAGE TO DEED OF GIFT.]

William J. Moses  
William J. Moses

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Albemarle, to-wit:

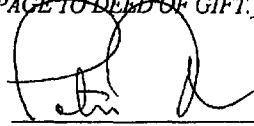
The foregoing instrument was acknowledged before me this 21st day of December, 2004, by William J. Moses.

Felicia M. Ward  
Notary Public

My commission expires: December 21, 2008



[COUNTERPART SIGNATURE PAGE TO DEED OF GIFT.]

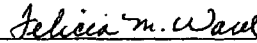


Patricia M. Kluge

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 21st day of December, 2004, by Patricia M. Kluge.



Notary Public

My commission expires: December 31, 2008

Exhibit A

All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, containing 144.41 acres, more or less, shown as TMP 103-1, on a plat by Gloeckner Engineering\Surveying Inc., dated October 15, 2004, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, immediately prior hereto.

All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, containing 97.67 acres, more or less, shown as Residue, Parcel M, and Parcel Z on plat by Gloeckner Engineering\Surveying, Inc., Engineers, Surveyors, Land Planners, dated September 19, 2000, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 1957, pages 698-699 and shown as New Parcel 00-00-001B0 on Albemarle Tax Map Sheet 10300.

NOTE: Plat at Deed Book 1957, pages 698-699 show Residue Parcel M. and Parcel Z, but does not plat said parcels.

All that certain lot or parcel of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, containing 1.41 acres, more or less, shown as TMP 103-1C, on a plat by Gloeckner Engineering\Surveying Inc., dated October 15, 2004, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, immediately prior hereto.

All that certain parcel or tract of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, containing 327.73 acres, more or less, shown as TMP 103-1E, on a plat by Gloeckner Engineering\Surveying, Inc, dated October 15, 2004, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, immediately prior hereto.

All that certain lot or parcel of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, containing 3.01 acres, more or less, shown as TMP 103-1F, on a plat by Gloeckner Engineering\Surveying Inc., dated October 15, 2004, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, immediately prior hereto.

All that certain lot or parcel of land situated in Albemarle County, Virginia, containing 4.14 acres, more or less, shown as TMP 103-1G, on a plat by Gloeckner Engineering\Surveying Inc., dated October 15, 2004, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, immediately prior hereto.

BEING a portion of the property conveyed to Grantors by deed of the University of Virginia Foundation, a Virginia non-stock corporation, successor by merger to University of Virginia Real Estate Foundation, dated April 30, 2004 and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia in Deed Book 2740, page 109.

RECORDED IN CLERK'S OFFICE OF  
ALBEMARLE  
December 22, 2004 AT 3:37:54 PM  
\$0.00 GRANTOR TAX PD  
AS REQUIRED BY VA CODE §58.1-802  
STATE: \$0.00 LOCAL: \$0.00  
ALBEMARLE COUNTY, VA  
SHELDON MARSHALL CLERK, CIRCUIT COURT